

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOANNE C. THORNE-LONG

Plaintiff,

-against -

**DECLARATION IN RESPONSE
TO MOTION TO DISMISS**

CITY OF NEW YORK, et al.

23 CV 4305 (DG) (LB)

Defendants.
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Plaintiff Joanne Thorne-Long, appearing *pro se*,¹ hereby declares under penalty of perjury:

1. This Declaration is submitted in response to the Defendants' motion to dismiss the Complaint in this action. I am fully familiar with the facts set forth herein.
2. I filed the original complaint in this action in May 2023, in New York State Supreme Court, Kings County, Index No. 329/23.
3. In my original complaint, I named as defendants The City of New York, Hon. Sylvia O. Hinds-Radix, the New York City Department of Education, New York City Mayor Eric Adams, and New York City Commissioner of Health and Mental Hygiene Ashwin Vasan.
4. In June 2023, Defendants removed this action from state court to federal court.
5. In July 2023, Defendants moved to dismiss this action.

¹ This Declaration was prepared with help from the City Bar Justice Center's Federal Pro Se Legal Assistance Project.



6. After carefully reviewing the motion to dismiss, I submitted to this Court, on September 13, 2023, a motion for leave to amend my complaint, together with a request that the Court hold in abeyance the defendants' motion to dismiss.

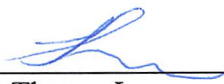
7. As stated in my request for leave to amend, my intent was to make several significant changes to the complaint including, but not limited to, the following: eliminating all defendants except the City of New York and the New York City Department of Education; withdrawing the cause of action for libel/defamation; adding allegations about the fact that I filed a timely notice of claim with the Comptroller's Office, the Office of the Corporation Counsel, and the Department of Education, with proof that I had done so; and adding allegations regarding the fact that I filed a discrimination complaint with the EEOC.

8. This Court has not yet issued a ruling on my request for leave to amend the complaint.

9. Together with this Declaration, I am submitting to the Court my proposed Amended Complaint, with exhibits, and I renew my request for leave to file this document.

10. I also request that the Court not consider defendants' motion to dismiss at this time. Rather, defendants should respond to the Amended Complaint.

Dated: Brooklyn NY
October 5, 2023



Joanne Thorne-Long
Plaintiff *Pro Se*

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CERTIFICATE OF SERVICE

Plaintiff Joanne Thorne-Long hereby certifies that on the 5th day of October, 2023, she served a copy of the Declaration in Response to Defendants' Motion to Dismiss and the Proposed Amended Complaint, with exhibits, upon defendants' counsel, via US mail, addressed as follows:

Assistant Corporation Counsel Rene Macioce
New York City Law Department
100 Church Street Ste 109(h)
New York NY 10007

Dated: Brooklyn NY
October 5, 2023



Joanne Thorne-Long

